

From: "Mike Samples"
To: DION NOVAK/R5/USEPA/US@EPA,
Cc: "Forney, Jim", Timothy Prendiville/R5/USEPA/US@EPA, Nicole Wood/R5/USEPA/US@EPA, scott.glum@epa.state.oh.us
Date: 08/02/2012 11:44 AM
Subject: Re: Valleycrest Proposed Plan

Thanks Dion. Would you mind e-mailing me a copy of the document that is referenced on the top of page 8 in the FS Addendum? The document is a memo from the Director of the Land and Chemicals Division.

Thanks,
Mike

Michael H. Samples
de maximis, inc.
450 Montbrook Lane
Knoxville, TN 37919
(865) 691-5052 - Office
(865) 548-1875 - Cell
(865) 691-6485 - Fax
mikes@demaximis.com
www.demaximis.com
>>> DION NOVAK 8/2/2012 10:11 AM >>>

Mike/Jim

Here is the website where the proposed plan will be posted today

The fact sheet version of the proposed plan is up already and the long version and the FS addendum should be available later this morning

Please let me know if you have trouble accessing the information
The meeting is still scheduled for Aug 16

<http://www.epa.gov/region5/cleanup/valleycrest/index.html>

Dion Novak
US EPA
77 W. Jackson (SR-6J)
Chicago, IL 60604
312-886-4737(P)
312-886-4071(F)

▼ "Mike Samples" ---07/26/2012 02:55:17 PM---Dion,

From: "Mike Samples"
To: DION NOVAK/R5/USEPA/US@EPA,
Cc: "Jim Forney"

Dion,

Thanks for returning my call from earlier this afternoon. From your voice-mail message it sounds like the Fact Sheet will almost definitely be issued sometime next week, followed closely by the "long form" of the Proposed Plan and the FS Addendum.

If you don't mind, when you send me the Fact Sheet, would you also copy Mr. Jim Forney. Jim's copied on this e-mail so that you have his address within easy reach. I plan to be out of town most of next week with very limited access to e-mail.

I look forward to seeing you again on the 16th of August.

Mike

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----- Forwarded by Nicole Wood/R5/USEPA/US on 10/20/2014 03:14 PM -----

From: "Mike Samples"
To: DION NOVAK/R5/USEPA/US@EPA,
Cc: Nicole Wood/R5/USEPA/US@EPA
Date: 08/24/2012 08:49 AM
Subject: Re: Valleycrest - Additional Cost Estimate

I give you a call early next week to discuss. Mike

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>>> DION NOVAK 8/22/2012 10:04 PM >>>

Your estimate did not include costs for excavation....please include those as well as they would be necessary costs for complete removal
Thanks

Dion Novak
US EPA
77 W. Jackson (SR-6J)
Chicago, IL 60604
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312-886-4071(F)

-----DION NOVAK/R5/USEPA/US wrote: -----

To: "Mike Samples"
From: DION NOVAK/R5/USEPA/US
Date: 08/22/2012 01:12PM
Cc: Nicole Wood/R5/USEPA/US@EPA
Subject: Re: Valleycrest - Additional Cost Estimate

Can you write a letter summarizing this information and send it to me along with some assumptions about haz vs non haz? This will go in the record supporting why we are not removing the waste. Please also include a timeframe for disposing of the waste, an estimate of truckloads necessary, where the waste would be going and how difficult it would be to excavate the waste, both above and below the water table. This is to show that lots of trucks on area roads would not be a good thing. Finally, please state an assumption that you can find a place to take all of the waste (unlikely) and that finding another place farther away would increase time and costs..

Thanks!

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-----"Mike Samples" wrote: -----

To: DION NOVAK/R5/USEPA/US@EPA
From: "Mike Samples"
Date: 08/22/2012 12:49PM

Subject: Re: Valleycrest - Additional Cost Estimate

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>>> DION NOVAK 8/22/2012 1:33 PM >>>

thanks! Does this include only above the water table or all of the waste?

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-----"Mike Samples" wrote: -----

To: DION NOVAK/R5/USEPA/US@EPA
From: "Mike Samples"
Date: 08/22/2012 12:20PM
Subject: Valleycrest - Additional Cost Estimate

Dion,

In follow-up to your Monday afternoon request, below is a rough estimate of cost implications if EPA were to hypothetically select off-site disposal of all waste from the North Sanitary Landfill as a preferred remedy:

In-situ waste and soil cover volume = 2,620,429 CY⁽⁴⁾

Assume 1.5 Tons/CY = 3,930,643 Tons

T&D⁽¹⁾ = \$51.36⁽²⁾⁽³⁾ /Ton * 3,930,643 Tons

\$201,877,824, or \$202 Million

Notes:

1. Based on the Tremont Site Feasibility Study (FS) Report, \$51.36 per ton was utilized for calculating a rough estimate for Transportation and Disposal (T&D).
2. The estimate accounts for T&D only (i.e. does not include excavation)

3. Conservatively assumes non-hazardous solid waste stream.
4. From Valleycrest FS Report, dated March 2011.

Regards,
Mike

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From: "Mike Samples"
To: DION NOVAK/R5/USEPA/US@EPA,
Cc: Nicole Wood/R5/USEPA/US@EPA
Date: 08/24/2012 12:29 PM
Subject: Re: Valleycrest - Additional Cost Estimate

Dion...I received your v-mail message, and obviously this related e-mail. I'm just waiting to connect up w/ Steve Siegel before I proceed to authorize anymore work. Mike

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>>> DION NOVAK 8/24/2012 10:23 AM >>>

Is there a problem or do you just need some additional clarification?

Dion Novak
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Regards,
Mike

----- Forwarded by Nicole Wood/R5/USEPA/US on 10/20/2014 03:14 PM -----

From: "Mike Samples"
To: DION NOVAK/R5/USEPA/US@EPA,
Cc: "Vince Stamp", "Steve Siegel", Nicole Wood/R5/USEPA/US@EPA
Date: 09/06/2012 01:15 PM
Subject: Valleycrest - Implications of Site Excavation and Off-Site Disposal

[attachment "Cost Estimate (full excavation).pdf" deleted by Nicole Wood/R5/USEPA/US]
Dion,

As requested, attached is the above referenced evaluation memo.

Mike

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From: "Mike Samples"
To: Nicole Wood/R5/USEPA/US@EPA, DION NOVAK/R5/USEPA/US@EPA,
Cc: "Steve Siegel"
Date: 09/17/2012 10:21 AM
Subject: Valleycrest Site - Proposed Meeting Dates

Dion & Nicole,

Thanks again for taking the time last week to talk to Steve Siegel and myself. In follow-up, the Valleycrest Landfill Site group (VLSG) is available to meet at EPA Region 5 offices in Chicago on either **Monday, October 1** (preferred), or **Wednesday, October 3rd**. Please let me know if either of these dates will work. We anticipate that the meeting would require about 3 hours of your time.

When you reply back to this e-mail indicating the best date for the meeting, please also provide a list of attendees on behalf of the Agency. As Steve indicated during our last conversation, we hope representation for EPA's upper management will find a way to be in attendance.

Individuals that will be attending the meeting on behalf of the VLSG include:

Steve Siegel, Esq.

Larry Silver, Esq.

Jennifer Nijman, Esq.

Jim Forney

Ian Richardson

Mike Samples

Thanks,

Mike

----- Forwarded by Nicole Wood/R5/USEPA/US on 10/20/2014 03:14 PM -----

From: "Mike Samples"

To: DION NOVAK/R5/USEPA/US@EPA,

Cc: "Steve Siegel" , Nicole Wood/R5/USEPA/US@EPA

Date: 09/25/2012 09:33 AM

Subject: Valleycrest Site - Proposed Meeting Dates

Dion....In follow-up to my voice message last week, have Nicole and you made any progress on internally coordinating a date for the meeting?

Mike

Dion & Nicole,

Thanks again for taking the time last week to talk to Steve Siegel and myself. In follow-up, the Valleycrest Landfill Site Group (VLSG) is available to meet at EPA Region 5 offices in Chicago on either **Monday, October 1** (preferred), or **Wednesday, October 3rd**. Please let me know if either of these dates will work. We anticipate that the meeting would require about 3 hours of your time.

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Mike Samples

Thanks,

Mike

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From: "Mike Samples"
To: Nicole Wood/R5/USEPA/US@EPA, DION NOVAK/R5/USEPA/US@EPA,
Cc: "Steve Siegel"
Date: 10/04/2012 09:38 AM
Subject: Re: Fw: Valleycrest Response

Nicole & Dion,

It looks like the afternoon of **Thursday, October 25th** will work best for a meeting. Specifically, we'll need to start the meeting at **1:00 p.m. CENTRAL (2:00 p.m. eastern)**, or later. If this date still works for EPA, please specify a specific start time in your reply e-mail.

Thanks for helping to coordinate.

Mike

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>>> Nicole Wood 10/2/2012 11:58 AM >>>

Hi, Steve.

Attached is the response to your September 11, 2012 letter to Susan Hedman.

The hard copy is being mailed today.

If you have any questions feel free to call.

Also, in regard to the meeting we were trying to set up for this week, if you still want to meet, EPA is available to meet and listen to your concerns the week of October 22. Dion, Dion's supervisor, Tim Prendiville, and I will be attending from EPA.

Nicole Wood-Chi
Associate Regional Counsel
U.S. EPA Region 5
77 W. Jackson Blvd. C-14J
Chicago, IL 60604
312-886-0664

(See attached file: Request for a Risk-Based Based Determination of PCB impacted at the Valleycrest Landfill Site, Dayton, OH.pdf)(See attached file: Request for a Risk-Based Based Determination of PCB impacted at the Valleycrest Landfill Site, Dayton, OH.pdf)

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Cc: "Steve Siegel"
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Subject: Re: Fw: Valleycrest Response

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From: "Mike Samples"
To: Nicole Wood/R5/USEPA/US@EPA, DION NOVAK/R5/USEPA/US@EPA,
Cc: "Steve Siegel"
Date: 10/04/2012 10:06 AM
Subject: Re: Fw: Valleycrest Response

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.....original e-mail.....

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From: "Mike Samples"

To: DION NOVAK/R5/USEPA/US@EPA,

Cc: "Steve Siegel" , Nicole Wood/R5/USEPA/US@EPA

Date: 10/05/2012 02:55 PM

Subject: Re: Re: Fw: Valleycrest Response

Great! As I mentioned in the voice-mail that I left you a few moments ago, Steve Siegel and me plan to discuss the meeting Agenda early next week and will certainly provide you with a copy well in advance of the meeting date. Given that we are starting the meeting at 2:00p, I would

anticipate our discussion lasting till COB. Representatives that plan to attend the meeting on my end include:

Jim Forney
Larry Silver
Jennifer Nijman
Steve Siegel
Ian Richardson
Mike Samples

I'll talk to you more next week. Have a great weekend.

Mike

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>>> DION NOVAK 10/5/2012 10:18 AM >>>
Mike

We are all available at that time...please confirm who will be participating on your end and if you will be providing an agenda and how long you think the meeting should be planned for. I will forward meeting location information next week.

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***** ATTACHMENT NOT DELIVERED *****

This Email message contained an attachment named
AGENDA.pdf
which may be a computer program. This attached computer program could
contain a computer virus which could cause harm to EPA's computers,
network, and data. The attachment has been deleted.

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into the EPA network. EPA is deleting all computer program attachments
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If the message sender is known and the attachment was legitimate, you
should contact the sender and request that they rename the file name
extension and resend the Email with the renamed attachment. After
receiving the revised Email, containing the renamed attachment, you can
rename the file extension to its correct name.

For further information, please contact the EPA Call Center at
(866) 411-4EPA (4372). The TDD number is (866) 489-4900.

***** ATTACHMENT NOT DELIVERED *****

----- Forwarded by Nicole Wood/R5/USEPA/US on 10/20/2014 03:14 PM -----

From: "Mike Samples"

To: DION NOVAK/R5/USEPA/US@EPA,
Cc: "Steve Siegel" , Nicole Wood/R5/USEPA/US@EPA
Date: 10/15/2012 09:03 AM
Subject: Re: Re: Fw: Valleycrest Response

To fake out the system, I just removed the file extension (it is still an Adobe file). Let me know if this doesn't work.

Michael H. Samples
de maximis, inc.
450 Montbrook Lane
Knoxville, TN 37919
(865) 691-5052 - Office
(865) 548-1875 - Cell
(865) 691-6485 - Fax
mikes@demaximis.com
www.demaximis.com

>>> DION NOVAK 10/15/2012 9:48 AM >>>
Mike

It appears that our new email does not allow for pdf files....can you rename the file or insert into the email? Thanks

Dion Novak
US EPA
77 W. Jackson (SR-6J)
Chicago, IL 60604
312-886-4737(P)
312-886-4071(F)

-----"Mike Samples" wrote: -----
To: DION NOVAK/R5/USEPA/US@EPA
From: "Mike Samples"
Date: 10/15/2012 08:43AM
Cc: "Steve Siegel" , Nicole Wood/R5/USEPA/US@EPA
Subject: Re: Re: Fw: Valleycrest Response

Dion,

In follow-up to my last e-mail (see below), attached for your reference is an Agenda for our upcoming meeting.

Mike

.....original e-mail.....

Great! As I mentioned in the voice-mail that I left you a few moments ago, Steve Siegel and me

plan to discuss the meeting Agenda early next week and will certainly provide you with a copy well in advance of the meeting date. Given that we are starting the meeting at 2:00p, I would anticipate our discussion lasting till COB. Representatives that plan to attend the meeting on my end include:

Jim Forney
Larry Silver
Jennifer Nijman
Steve Siegel
Ian Richardson
Mike Samples

I'll talk to you more next week. Have a great weekend.

Mike

Michael H. Samples
de maximis, inc.
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www.demaximis.com

>>> DION NOVAK 10/5/2012 10:18 AM >>>
Mike

We are all available at that time...please confirm who will be participating on your end and if you will be providing an agenda and how long you think the meeting should be planned for. I will forward meeting location information next week.

Dion Novak
US EPA
77 W. Jackson (SR-6J)
Chicago, IL 60604

312-886-4737(P)
312-886-4071(F)

-----"Mike Samples" wrote: -----

To: Nicole Wood/R5/USEPA/US@EPA, DION NOVAK/R5/USEPA/US@EPA
From: "Mike Samples"
Date: 10/04/2012 10:06AM
Cc: "Steve Siegel"
Subject: Re: Fw: Valleycrest Response

Apologies, but the earliest we could possibly start is actually 2PM Central (one hour later than expressed in my earlier e-mail). Mike

.....original e-mail.....
Nicole & Dion,

It looks like the afternoon of **Thursday, October 25th** will work best for a meeting. Specifically, we'll need to start the meeting at **1:00 p.m. CENTRAL (2:00 p.m. eastern)**, or later. If this date still works for EPA, please specify a specific start time in your reply e-mail.

Thanks for helping to coordinate.

Mike

Michael H. Samples
de maximis, inc.
450 Montbrook Lane
Knoxville, TN 37919
(865) 691-5052 - Office
(865) 548-1875 - Cell
(865) 691-6485 - Fax
mikes@demaximis.com
www.demaximis.com
>>> Nicole Wood 10/2/2012 11:58 AM >>>

Hi, Steve.

Attached is the response to your September 11, 2012 letter to Susan Hedman.

The hard copy is being mailed today.

If you have any questions feel free to call.

Also, in regard to the meeting we were trying to set up for this week, if you still want to meet, EPA is available to meet and listen to your concerns the week of October 22. Dion, Dion's supervisor, Tim Prendiville, and I will be attending from EPA.

Nicole Wood-Chi

Associate Regional Counsel
U.S. EPA Region 5
77 W. Jackson Blvd. C-14J
Chicago, IL 60604
312-886-0664

(See attached file: Request for a Risk-Based Based Determination of PCB impacted at the Valleycrest Landfill Site, Dayton, OH.pdf)(See attached file: Request for a Risk-Based Based Determination of PCB impacted at the Valleycrest Landfill Site, Dayton, OH.pdf)

***** ATTACHMENT NOT DELIVERED

This Email message contained an attachment named
AGENDA.pdf
which may be a computer program. This attached computer
program could
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at
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AGENDA

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***** ATTACHMENT NOT DELIVERED *****

----- Forwarded by Nicole Wood/R5/USEPA/US on 10/20/2014 03:14 PM -----

From: "Mike Samples"
To: DION NOVAK/R5/USEPA/US@EPA,
Cc: "Steve Siegel" , Nicole Wood/R5/USEPA/US@EPA, Timothy Prendiville/R5/USEPA/US@EPA, "Larry Silver" , "Jennifer Nijman" , "Jim Forney"
Date: 10/29/2012 07:48 AM
Subject: Valleycrest - Meeting Sign-In Sheet

Dion,

Thanks again for agreeing to meet with us last week. I thought the meeting turned out to be very worthwhile.

As promised, attached for your file is a copy of the meeting sign-in sheet.

Mike

Michael H. Samples
de maximis, inc.
450 Montbrook Lane
Knoxville, TN 37919
(865) 691-5052 - Office
(865) 548-1875 - Cell
(865) 691-6485 - Fax

mikes@demaximis.com

www.demaximis.com(See attached file: DOC102912-10292012083220.pdf)

----- Forwarded by Nicole Wood/R5/USEPA/US on 10/20/2014 03:14 PM -----

From: "Mike Samples"

To: Nicole Wood/R5/USEPA/US@EPA,

Cc: "Steve Siegel" , DION NOVAK/R5/USEPA/US@EPA

Date: 11/01/2012 11:13 AM

Subject: Valleycrest - Meeting Follow-up

[attachment "Oil Terminals.pdf" deleted by Nicole Wood/R5/USEPA/US]

[attachment "Newmark (aka VDC).pdf" deleted by Nicole Wood/R5/USEPA/US]

[attachment "Affordable Auto Parts.pdf" deleted by Nicole Wood/R5/USEPA/US]

Nicole,

During our meeting last week you expressed an interest in seeing the Order associated with contamination at the Brandt Pike Oil Terminal (across the street from Valleycrest). After the meeting Steve Siegel asked that I locate a copy of this Order and e-mail it over for your convenience (see attached).

Additionally, in the context of off-site sources of contamination in the immediate vicinity of Valleycrest, I thought it might be helpful to also provide you with copies of Orders that are associated with two (2) other properties adjacent to Valleycrest. The first, is an Order for the Newmark (a/k/a. Cintas; f/k/a Van Dyn Crotty) which is west and directly across Brandt Pike from Valleycrest. The second Order pertains to Affordable Auto Parts, a property which is located on the southern side of the Site.

Again, it was a pleasure seeing you and Dion again. Take care.

Mike

Michael H. Samples

de maximis, inc.

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----- Forwarded by Nicole Wood/R5/USEPA/US on 10/20/2014 03:14 PM -----

From: Nicole Wood/R5/USEPA/US
To: "Mike Samples" ,
Cc: DION NOVAK/R5/USEPA/US@EPA, "Steve Siegel"
Date: 11/01/2012 11:18 AM
Subject: Re: Valleycrest - Meeting Follow-up

Thank you!

Nicole Wood-Chi
Associate Regional Counsel
U.S. EPA Region 5
77 W. Jackson Blvd. C-14J
Chicago, IL 60604
312-886-0664

▼ "Mike Samples" ---11/01/2012 11:13:10 AM---Nicole,

From: "Mike Samples"
To: Nicole Wood/R5/USEPA/US@EPA,
Cc: "Steve Siegel" , DION NOVAK/R5/USEPA/US@EPA
Date: 11/01/2012 11:13 AM
Subject: Valleycrest - Meeting Follow-up

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mikes@demaximis.com

www.demaximis.com[attachment "Affordable Auto Parts.pdf" deleted by Nicole

Wood/R5/USEPA/US] [attachment "Newmark (aka VDC).pdf" deleted by Nicole

Wood/R5/USEPA/US] [attachment "Oil Terminals.pdf" deleted by Nicole Wood/R5/USEPA/US]

----- Forwarded by Nicole Wood/R5/USEPA/US on 10/20/2014 03:14 PM -----

From: "Mike Samples"

To: DION NOVAK/R5/USEPA/US@EPA,

Cc: "Steve Siegel" , Nicole Wood/R5/USEPA/US@EPA

Date: 11/05/2012 12:11 PM

Subject: Valleycrest - Meeting Follow-up

Dion,

Attached is a copy of the Ohio EPA Final Cover Guidance, and associated Responsiveness Summary, that Nicole and you requested during our recent meeting.

Mike

Michael H. Samples

de maximis, inc.

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(865) 691-5052 - Office

(865) 548-1875 - Cell

(865) 691-6485 - Fax

mikes@demaximis.com

www.demaximis.com(See attached file: Responsiveness Summary.pdf)(See attached file: Final Covers Guidance.pdf)

----- Forwarded by Nicole Wood/R5/USEPA/US on 10/20/2014 03:14 PM -----

From: "Mike Samples"

To: DION NOVAK/R5/USEPA/US@EPA,

Cc: "Siegel, Steve" , Nicole Wood/R5/USEPA/US@EPA

Date: 11/11/2012 05:16 PM

Subject: Re: Valleycrest - Meeting Follow-up

Dion,

Attached is a copy of the April 2009 Kings Road Ohio EPA Director's Final Findings and Orders. Section IV, Para. 9 thru 11 discuss the exemption.

Mike

Michael H. Samples
de maximis, inc.
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Knoxville, TN 37919
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(865) 548-1875 - Cell
(865) 691-6485 - Fax
mikes@demaximis.com
www.demaximis.com
>>> 11/8/2012 4:35 PM >>>
Mike

Do you have an e-copy of the 4/16/2009 SW exemption that is referenced in the Kings Road ROD that you provided to us?
Thanks

Dion Novak
US EPA
77 W. Jackson (SR-6J)
Chicago, IL 60604
312-886-4737(P)
312-886-4071(F)

▼ "Mike Samples" ---11/05/2012 12:11:10 PM---Dion,

From: "Mike Samples"
To: DION NOVAK/R5/USEPA/US@EPA,
Cc: "Steve Siegel" , Nicole Wood/R5/USEPA/US@EPA
Date: 11/05/2012 12:11 PM
Subject: Valleycrest - Meeting Follow-up

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www.demaximis.com[attachment "Responsiveness Summary.pdf" deleted by DION
NOVAK/R5/USEPA/US] [attachment "Final Covers Guidance.pdf" deleted by DION
NOVAK/R5/USEPA/US] (See attached file: 2009-04-16-FindOrdExemption.pdf)